

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

*Plaintiff,*

*vs.*

Case No. 01-CR-108

ORVILLE J. COCHRAN,

*Defendant.*

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**MOTION TO ADJOURN TRIAL**

Orville Cochran, through counsel, moves to adjourn the jury trial in this case, which is currently scheduled for September 10, 2018. Cochran seeks to adjourn the trial for at least two months. As a basis for this request, Mr. Cochran states the following:

1. On April 24, 2017, a very old warrant for Orville Cochran was returned executed. He had been arrested in Chicago. On May 25, 2017, Cochran appeared at his arraignment and plea hearing where he entered not guilty pleas. On January 26, 2018, this Court scheduled a jury trial to begin on September 10, 2018.

2. This is a sprawling case with a great volume of discovery. And in addition to the many reports, debriefs, etc., contained in the discovery disclosed, there are many relevant transcripts to review. The government has a very long and involved history with this case and its companion case. It has well-organized the discovery and provided counsel with a 51-page outline of their summary of the evidence it believes pertains to Cochran. This document has been helpful and is the product of the work the government has done on this case going back well before the 1997 indictment in the first round of

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indictments against the Outlaws Motorcycle Club. See *United States v. O'Neill, et al*, 97-CR-98. That case of course went to trial in 2000, twice actually as in addition to the first trial with O'Neil and a number of other co-defendants, the government tried Harvey Powers separately due to an issue with his first appointed counsel. That first round of indictments led in part to the second round in *United States v. Edward J. Anastas, et al*, 01-CR-108, which was a six-person indictment that included Cochran. Further, following the October, 2014 arrest of Randy Yager, a fugitive from the first round who had never been arrested, the government spent an intense 17-month period leading up to Yager's entry into a plea agreement, which occurred on the eve of trial on March 24, 2016. So counsel for the government had been immersed in the details of this case for a significantly longer period of time than has Cochran's counsel. It should be noted that Cochran's counsel represented co-defendant Greg Mayer, who was not charged with racketeering, from June of 2001 to January 2003.

3. While counsel and Cochran have continued to work toward being prepared for trial, they have also considered at length a plea proposal from the government, and responded with a counter-offer of their own. Counsel sent an email communication to counsel for the government, Assistant U. S. Attorneys Carol Kraft and Laura Shulteis Kwaterski, to inform them of Cochran's intention to move the Court for an adjournment. The government had not responded with a position on this motion.

4. In essence, Orville Cochran and his counsel seek additional time to prepare for a possible trial in this case. Cochran and counsel have investigative needs to complete as well as significant trial preparation needs. Given the significant scope of discovery,

counsel seeks to benefit from one or both of the paralegals within the offices of Federal Defender Services of Wisconsin, Inc. That will likely become available, but both paralegals, along with many resources in our offices, are committed to preparing for the trial in *United States v. Samy Hamzeh*, 16-CR-21. That trial is scheduled to begin on August 20, 2018, and is estimated to take at least two weeks.

4. Additionally, counsel for Cochran has many other cases of note on his schedule, including a § 2255 petition, *United States v. Ronald Johnson*, 13-C-1304, and three active appeals with briefs pending in the Seventh Circuit and intends to file a notice of appeal on another one this week. *United States v. Vaccaro*, 18-1753, *United States v. Bean*, 18-2195, *United States v. Kidd*, 18-1532, and *United States v. Richard Kraemer*, 17-CR-35, (Kraemer was sentenced on July 2, 2018). Further, counsel has a long-planned vacation scheduled for July 6 through July 15.

5. Finally, Orville Cochran asked for and agrees with this request, and is aware that, if granted, the Court will make appropriate Speedy Trial Act findings excluding any period of time/delay in the case that his request would cause.

Dated at Milwaukee, Wisconsin, this 5th day of July, 2018.

Respectfully submitted,

/s/ John W. Campion

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